

26th October 2005

Chairman and Members of the
Subcommittee on West Kowloon Cultural District Development
Legislative Council
Legislative Council Building,
8 Jackson Road, Central
Hong Kong

Fax: (852) 2180 9200 – 2 Pages in total
Email: cshiu@legco.gov.hk

Dear Professor Leong and Members,

Way Forward for the WKCD – Statutory Body

We write regarding the Statutory Body proposed as captioned above, and provide the following general comments and responses to the questions raised:

1. The Harbour Business Forum welcomes the establishment of the West Kowloon independent statutory body, and supports the proposal that it should include a wide range of professionals and experts to lead the planning and development of the district. We note however that it will be important to ensure that such a body's membership and responsibilities meet community expectations
2. We see the establishment of the Body as a positive first step towards coordinated management of the harbour as a whole. Indeed, the Planning Department stated in 2003, in its *Planning Study for the Harbour and Its Harbour-front Areas* that the need for an institutional body charged with implementing the Vision for Victoria Harbour will be reviewed based on the experiences of the WK Steering Committee. Careful consideration is encouraged with respect to the structuring of the body to ensure that it is flexible enough to expand, as and when stakeholders are ready, to cover the harbour as a whole. This would avoid the need and duplication of resources for the establishment of a second agency.
3. We believe that the West Kowloon development is of the utmost importance to the development of Victoria Harbour, and should therefore not be considered in isolation, but in a strategic and integrated manner with the Harbour District.
4. For consistency with the Vision for Victoria Harbour, we believe that the planning and implementation of West Kowloon should ensure that the district exceeds international benchmarks for world-class waterfront developments and should conform fully to the Harbour Planning Principles.
5. We see this as an opportunity to create: a great place to visit, live, work, shop and enjoy, with a wide range of water-based and other activities, seven days a week, a destination celebrated for its integration of urban, art, entertainment, living, shopping, business, technology, services, sports, health, heritage and culture; and place of high quality, leading-edge design and public amenity, both physical (buildings, public spaces, water, land) and virtual (activities, events, technology).
6. We advocate for the WKCD to be a recognized leader in well-designed environmentally responsible development and operations.
7. The statutory body proposed for WKCD should be established as soon as the project is approved. .
8. The statutory body should oversee the planning, design, development and management of the WKCD including drawing up the development layout plans and undertaking negotiations with the screened-in proponents.
9. World-class cultural and tourism spaces are managed by "Place Managers" to ensure that events, activities, cleanliness, security, lighting, amenity, safety and user friendliness are maintained to a high standard to complement the physical attraction to visitors. This activity is called Place Management and should be a fundamental aspect of the WKCD Authority from the start.

10. World-class public waterfronts, around the world, employ a management strategy variously known as "place management" or "place creation". This is intended to create a sense of attraction, environment, security and community for visitors, workers and residents alike. The WKCD Authority, and the HK Government will need to deliver a world-class place to complete WKCD vision. To achieve this there is a need for an ongoing commitment to place management. This commitment to quality, activities, and service standards will ensure WKCD becomes a cultural playground and a tourism environment for the whole of HK and an enduring world-class waterfront.
11. The statutory body should determine what elements should be included in the CACF and ensure that the other elements contribute to the development of a lively arts and cultural district.
12. The statutory body's powers should be comprehensive so that it can ensure the successful development of the WKCD while respecting and liaising closely with other relevant bodies such as arts and culture organisations, the Town Planning Board and the Harbour-front Enhancement Committee.
13. Accountability to Government in respect of project coordination and delivery within the agreed timescale is proposed but in so far as possible the statutory body should operate independently.
14. The statutory body should have ultimate coordination control over the various elements of the development while responsibility for delivery should rest with the successful proponent and other involved developers.
15. The statutory body should have power to direct and monitor the successful proponent to secure project modifications if deemed necessary.
16. Clear dispute resolution mechanisms should be agreed and included in all development agreements.
17. Coordination of the WKCD project should rest with the statutory body.
18. The consultation setup should ensure early and wide community engagement. The process introduced and developed in connection with the compiling of Government policy on sustainable development should be utilized.
19. The elements comprising the CACF, the structure/terms of reference of the statutory body, the administration of the trust fund and the implementation of the canopy would all be relevant consultation issues.
20. The statutory body should be responsible for advising the relevant government bureaus and institutions on the development rights of the portions to be carved out.
21. The successful proponent should be represented on the statutory body.
22. The statutory body should have an adequately resourced independent secretariat.
23. Transparent criteria for membership of the statutory body should be made public and appointees should bring a balanced, varied but relevant mix of experience to the body with no one sector, public or private, being dominant.

Should you have any questions regarding our response, please do not hesitate to contact the undersigned at Tel: 2784 3934 or e-mail: athomson@bec.org.hk.

Yours sincerely,



Dr. Andrew Thomson
On behalf of the Harbour Business Forum